

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
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UNITED STATES OF AMERICA

-v.-

IGOR YUSUPOV,

Defendant.

PRELIMINARY ORDER OF
FORFEITURE AS TO
SPECIFIC PROPERTY

S1 09 Cr. 206 (BSJ)

WHEREAS, on January 14, 2010, IGOR YUSUPOV (the "defendant"), was charged in a one-count Superseding Information, S1 09 Cr. 206 (BSJ) (the "Information"), with using and carrying, and aiding and abetting the use and carrying of, a firearm during and in relation to a crime of violence, in violation of Title 18, United States Code, Sections 924(c)(1)(A)(i) and 2;

WHEREAS, on January 14, 2010, the defendant pled guilty to the Information pursuant to a plea agreement with the Government;

WHEREAS, under the terms of the plea agreement, the defendant agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C), all of his right, title and interest in a 2005 Maserati 128, bearing Vehicle Identification Number ZAMBC38A150014913, seized on or about January 21, 2009 (the "Specific Property");

WHEREAS, pursuant to Title 18, United States Code, Section 981(a)(1)(C), Title 21, United States Code, Section 853(g), and Rules 32.2(b)(3), 32.2(b)(6), and 32.2(c) of the

Federal Rules of Criminal Procedure, the Government is now entitled, pending any assertion of third-party claims, to reduce the Specific Property to its possession and to notify any and all potential purchasers and transferees thereof of its interest therein;

NOW, THEREFORE, IT IS ORDERED, ADJOURNED AND DECREED THAT:

1. All of the defendant's right, title and interest in the Specific Property is hereby forfeited to the United States for disposition in accordance with the law, subject to the provisions of Title 21, United States Code, Section 853(n).

2. Upon entry of this Preliminary Order of Forfeiture as to Specific Property, the United States Marshals Service (or its designee) is authorized to seize the Specific Property and hold the Specific Property in its secure, custody and control.

3. Pursuant to Rule 32.2(b)(4)(A) of the Federal Rules of Criminal Procedure, this Preliminary Order of Forfeiture as to Specific Property is final as to the defendant upon entry of this Order, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

4. Pursuant to Title 21, United States Code, Section 853(n)(1), Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure and Rules G(4)(a)(iv)(C) and G(5)(a)(ii) of the Supplemental Rules for Certain Admiralty or Maritime Claims and

Asset Forfeiture Actions, the United States shall publish for at least thirty (30) consecutive days on the government internet site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture as to Specific Property and notice that any person, other than the defendant in this case, claiming an interest in the Specific Property must file a petition within sixty (60) days from the first day of publication of the notice on this official government internet site, or no later than thirty-five (35) days from the mailing of actual notice, whichever is earlier.

5. This notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Specific Property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title and interest in the Specific Property and any additional facts supporting the petitioner's claim and the relief sought, pursuant to Title 21, United States Code, Section 853(n).

6. Pursuant to Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure, the Government shall send notice to any person who reasonably appears to be a potential claimant with standing to contest the forfeiture in the ancillary proceeding.

7. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture with respect to the Specific Property pursuant to Title 21, United States Code, Section 853(n) and Rule 32.2(c)(2) of the Federal Rules of

Criminal Procedure, in which all third-party interests will be addressed.

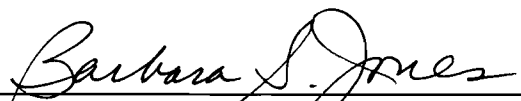
8. The Court shall retain jurisdiction to enforce this Order, and to amend it as necessary, pursuant to Federal Rule of Criminal Procedure 32.2(e).

9. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, upon entry of this Preliminary Order of Forfeiture as to Specific Property, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of the property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas, pursuant to Rule 45 of the Federal Rules of Civil Procedure.

10. The Clerk of the Court shall forward three certified copies of this Order to Assistant United States Attorney, Anna E. Arreola, One St. Andrew's Plaza, New York 10007.

Dated: New York, New York
August 20, 2010

SO ORDERED:


HONORABLE BARBARA S. JONES
UNITED STATES DISTRICT JUDGE